

# **Section 504 Training**

Amesbury Public Schools



# What is Section 504

- Section 504 of the Rehabilitation Act of 1973 is a Federal Civil Rights law that prohibits discrimination against individuals with disabilities
- The intent of Section 504 is to provide students with disabilities equal access to educational program, services and activities.

**Are Section 504 and Special Education  
the same?**

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**NO**

# Who is eligible for Section 504 Services?

Students who meet the definition of a person with a disability are those who:

- Have a physical or mental impairment which substantially limits one or more major life activities;
- Have a record of such an impairment; or
- Are regarded as having such an impairment

## What does substantially limit mean?

- Generally it means that the individual is 'unable to perform a major life activity that the average person in the general population can perform.'

- In schools, we would compare the student with a disability against the skills and progress of the average student in the average classroom.
- The nature and severity of the impairment, its expected duration, and the impact on a major life activity should be considered when defining 'substantially limited.'
- Both academic and nonacademic activities need to be considered. Temporary disabilities such as broken leg or mild illness, often do not meet the definition of 'substantially limited.'

# Who determines eligibility?

- A student must be evaluated by the school district in order to determine Section 504 eligibility.
- The evaluation must be conducted by a team composed of individuals who know the student and understand the evaluation information.

# Who determines eligibility?

- Teachers
- School nurse
- Principal or administrative designee
- School counselor
- Parents and/or family members
- Social workers
- Specialists

# How is eligibility determined?

- Districts should develop specific standards for evaluation for Section 504 eligibility. Formal testing is not required.
- Information should be considered and documented from a variety of sources including:

- Teachers' reports
- Parent/family information
- Home language survey
- Report cards
- Response to interventions
- Attendance records
- Standardized tests
- Referral forms
- Disciplinary records
- Health records
- Prior Section 504 or special education evaluations or services
- Private evaluation reports

# How are students referred?

- Parents
- Teachers
- Intervention Team
- Outside agencies
- Physicians

# Then what?

- Once a 504 Team has determined that a student is eligible, that is, he or she has a disability that substantially limits one or more major life activities, a 504 Plan, details the accommodations that will be made to ensure that the student has access to the academic curriculum and extracurricular programs and activities.

# What is a 504 Plan?

- A 504 Plan is a written document detailing the services and accommodations to be provided.

# What does the 504 Plan include?

- A description of the disability
- The major life activity that is limited
- The basis for determining the disability and its educational impact
- Necessary accommodations
- Placement in the least restrictive environment
- A review of the re-evaluation date
- 504 Team members' names

# **So What Does Amesbury Do?**



# Eligibility Determination

- In order to be eligible for a 504 Accommodation Plan the student must be identified as having a disability. In order to be considered a student with a disability, the student must have a physical or mental impairment which substantially limits one or more major life activities; or has a record of such impairment; or is regarded as having such impairment.

# 1. Impairment

- Autism
- Developmental delay
- Intellectual impairment
- Sensory impairment
- Neurological impairment
- Emotional disorder
- Disabilities affecting behavioral controls
- Communication disorder
- Physical impairment
- Specific learning disability
- Health impairment
- Tourette's Syndrome
- Traumatic brain injury
- Cerebral palsy

## 2. Substantial Limitation

- A student must demonstrate substantial limitation in order to qualify for a 504 Accommodation Plan. Under the Americans with Disabilities Act Amendments of 2008 (ADAAA) a major life activity is substantially limited when a person is: ‘Unable to perform major life activity that the average person in the general population can perform.’ Significantly restricted as to the condition, manner or duration under which an individual can perform a particular major life activity as compared to the condition, manner or duration under which the average person in the general population can perform that same major life activity.”

## 3. Major Life Activities

- Students with 504 Accommodation Plans have a disability that impacts a major life activity, such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.
- A student does not need to have a disability limiting learning to qualify for a 504 Accommodation Plan.

# Major Life Activities

- The ADAAA broadens the definition of ‘major life activities’ and provides that the impairment only needs to limit one major life activity in order to be considered a disability under the ADA.
- Districts now must make their Section 504 determinations based upon the child’s disability as it presents itself without mitigating measures (i.e., hearing aids, medications, learned behavioral adaptations). There is one exception: eyeglasses and/or contact lenses.

# Referral

- The referring individual completes the Section 504 Referral Form.
- The Referral Form requires specific information and asks the referring individual to describe the disability, note what documentation exists to support the identification of the disability, asks the referring individual to describe how the disability substantially limits a major life function and asks for the accommodations that the individual is seeking in order to better allow the student to access the general curriculum.

# 504 Referral Form

- Amesbury Public Schools
- Office of Student Services
- 10 Congress Street Amesbury, Massachusetts 01913
- (978) 388-0531 FAX: (978) 388-7224

## **SECTION 504 REFERRAL FORM**

- *Section 504 of the Rehabilitation Act of 1973 is designed to eliminate discrimination on the basis of disability. Any student, parent, or guardian who believes the student has a disability that could affect their education, and who believes that the impact of the disability might be alleviated by some services and/or accommodations from the District, may refer the student.*
- *For a student to be eligible for a 504 plan, the student must meet all three of the following criteria. It must be because of the disability that the student is unable to gain equal access and benefit from school programs and services.*
- *The student has a physical or mental impairment*
- *That **substantially** limits*
- *One or more major life functions.*
- **Instructions:** If you believe that a child may be eligible for a Section 504 support please complete and sign the following form giving specific details about why you are requesting a Section 504 evaluation and submit it along with supporting documentation to your school's principal or 504 coordinator. Please attach any additional information you believe will be helpful in determining eligibility.
- Student Name \_\_\_\_\_ Current Grade \_\_\_\_\_
- School \_\_\_\_\_ Birth date \_\_\_\_\_ Gender M F
- Parent(s) or Guardian(s) name(s) \_\_\_\_\_
- Address \_\_\_\_\_ Day time phone \_\_\_\_\_

# The Referral Form

- Name of person referring \_\_\_\_\_ Date of referral \_\_\_\_\_
- Describe the nature of the suspected disability: \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- What documentation exists to support the identification of this disability (please attach any documents):
- \_\_\_\_\_
- Describe how the disability substantially limits a major life function (such as hearing, seeing, speaking, breathing, self care, learning, walking, working):
- \_\_\_\_\_
- \_\_\_\_\_
- Describe any specific accommodations/services you are seeking that are designed to allow this student to access the general curriculum:
- \_\_\_\_\_
- \_\_\_\_\_
- \*\*\*\*\*FOR OFFICE USE ONLY\*\*\*\*\*
- Referral received by \_\_\_\_\_ on \_\_\_\_\_.
- Action taken: \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

# Evaluation

- Upon receipt of the referral form and the appropriate documentation the 504 coordinator with the team conducts an evaluation to determine whether or not the student has a qualifying disability. This is done through the examination of data collected from sources within and outside the Amesbury Public Schools. The team must be able to verify that the student has a disability and if essential information is missing further evaluation may be required.

# Evaluation data

- Teachers' reports
- Parent/family information
- Home language survey
- Report cards
- Response to interventions
- Attendance records
- Standardized tests
- Referral forms
- Disciplinary records
- Health records
- Prior Section 504 or special education evaluations or services
- Private evaluation reports

# 504 Team meeting

- Parents need written notice
- Meeting participants may vary depending on the student and the nature of the individual needs. In all cases there should be input and participation from the regular classroom teacher.

# 504 Accommodation Plan

- The team must complete the 504 Accommodation Plan.
- The team members verify that they have **reviewed a variety of data, that the student does have a disability that substantially impacts a major life activity** and they further go on to describe **HOW the disability impacts the major life activity.**

# What are accommodations?

- Discuss
- Come up with a few examples

# What are accommodations?

- Accommodations are program adjustments made to remove disability-related barriers to a student's full participation in school, including nonacademic and extracurricular activities such as field trips, athletics, and assemblies.
- Accommodations are made in order to provide a student equal access to learning and equal opportunity to demonstrate what he or she knows.
- Accommodations should not alter or lower the standards of the coursework or standards required for participation in extracurricular activities.

# Accommodations should be:

- Disability specific
- Necessary, not merely helpful
- Individualized
- Documented
- Communicated to all individuals

# Accommodations typically fall within 8 categories:

- Environment
- Teaching strategies
- Assignments
- Materials
- Testing
- Behavior
- Health
- Other

# SAMPLE ACCOMMODATIONS

- Remember, these need to be made specific for the students
- Teachers need to understand what the accommodation(s) mean in their classroom

# ENVIRONMENTAL Accommodations

- Physical arrangements of the room
- Preferential seating
- Lighting adjustments
- Use of an air purifier
- Alter location of supplies and materials for easier access

# TEACHING STRATEGY

## Accommodations

- Individual or small group instruction
- Adjust teaching style to match student's learning style
- Emphasize key information
- Provide frequent breaks
- Read written material to the student
- Accompany oral directions with written steps
- Provide outlines, study guides, organizers
- Assign a peer tutor or note taker

# ASSIGNMENT Accommodations

- Break assignments into smaller units
- Grade for correct answers
- Tailor homework
- Allow extra time for completion
- Use an assignment sheet

# MATERIALS Accommodations

- Provide alternate formats
- Use highlighted or underlined reading materials
- Use a variety of materials including films, tapes, manipulatives
- Use technology

# TESTING Accommodations

- Adjust the length of the test
- Orally administer the test
- Provide take-home tests
- Provide alternate formats
- Administer frequent quizzes rather than exams
- Change the location (library, quiet room, e tc.)

# BEHAVIOR Accommodations

- Provide a behavior plan
- Provide nonverbal cues
- Provide frequent feedback
- Ignore identified inappropriate behaviors
- Monitor and redirect behaviors

# HEALTH Accommodations

- Administer medication per protocol
- Modified physical education
- Allow for absences
- Ensure privacy

## **OTHER TYPES of Accommodations**

- Group/individual counseling
- Other agency involvement
- Disability awareness training for staff and students
- Disability specific staff training

# Remember...

- Accommodations need to be necessary
- Teachers are critical in recommending accommodations
- Accommodations must be **SPECIFIC**
- Accommodations, once agreed to, must be provided

# Teacher Progress Report

- Amesbury Public Schools
- Progress Reporting Form
- Student Name: \_\_\_\_\_ Grade \_\_\_\_\_
- Date \_\_\_\_\_
- Class (middle and high school) \_\_\_\_\_
- I have been working with this student for \_\_\_\_\_
- Please comment as specifically as possible on the following:  
(Grades and other information and observations are important)
- Attendance:
- Homework:
- Tests and quizzes:
- Long-term projects:
- Organizational skills:
- Attention:
- Behavior:
- Please list any accommodations you regularly use with this student:  
Are they needed?      Are they effective?
- Suggested accommodations not currently used: How would these provide greater access to the regular curriculum?
- Comments, questions, suggestions. Please feel free to use the other side of the paper.

# Things to be cautious about....

- Accommodations must make sense.
- Just because a parent asks for them or a report recommends them doesn't make it so.
- Teachers should have information about how the accommodation helps the student.
- Teachers can suggest other accommodations.